

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CAPELLA PHOTONICS, INC.,

Plaintiff

v.

FUJITSU NETWORK COMMUNICATIONS,
INC.,

Defendant.

Civ. No. 2:20-cv-00076

JURY TRIAL DEMANDED

**DECLARATION OF NATHANIEL T. BROWAND IN SUPPORT OF
FUJITSU NETWORK COMMUNICATIONS, INC.'S MOTION FOR
PARTIAL SUMMARY JUDGMENT OF NO WILLFULNESS**

I, Nathaniel T. Browand, hereby declare as follows:

1. I am an attorney at the law firm of Milbank LLP and am counsel for Defendant Fujitsu Network Communications, Inc. ("FNC") in this lawsuit.
2. I respectfully submit this declaration in support of FNC's Motion for Partial Summary Judgment of No Willfulness. I declare that the following statements are true to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances.
3. Attached as Exhibit A hereto is a true and correct copy of excerpts of the "Expert Report of Professor David Teece," served in this lawsuit.
4. Attached as Exhibit B hereto is a true and correct copy of excerpts of the "Expert Report of Dr. Wayne Knox Regarding Infringement by Fujitsu Network Communications, Inc.," served in this lawsuit.

5. Attached as Exhibit C hereto is a true and correct copy of Plaintiff Capella Photonics, Inc.'s Objections and Responses to Defendant's Second Set of Interrogatories (Nos. 12-20), dated March 15, 2021, and served in this lawsuit.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 26, 2021

Respectfully submitted,

/s/ Nathaniel T. Browand
Nathaniel T. Browand

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on April 26, 2021.

By: /s/ Nathaniel T. Browand
Nathaniel T. Browand